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November 4, 2004

**VIA FACSIMILE**

To: Examiner Cheyne D. Ly  
Group Art Unit No. 1631  
U.S.P.T.O

Facsimile No.: (703) 872-9306

From: Phillip E. Miller.

Facsimile No.: (703) 761-2375

Re: Enclosed Request for Continued Examination  
U.S. Patent Application Serial No. 10/059,421  
Our Ref: YOR.275

Dear Examiner Ly:

Please find enclosed a Request for Continued Examination responsive to the Office Action dated August 4, 2004 which should place this case in condition for allowance.

Thank you in advance for your consideration on this case.

Very truly yours,



Phillip E. Miller

PEM/Inb  
Enclosure

No. of Pages (including this cover sheet): 3

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PTO/SB/30 (08-03)

Approved for use through 07/31/2006. OMB 0851-0031

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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	10/059,421
Filing Date	01/31/02
First Named Inventor	Tetsuo Shibuya
Art Unit	1631
Examiner Name	Cheyne D. Ly
Attorney Docket Number	YOR920010126US2

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

- Submission required under 37 CFR 1.114 Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such
  - ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
    - ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
    - ☐ Other \_\_\_\_\_
  - ☐ Enclosed
    - ☐ Amendment/Reply
    - ☐ Affidavit(s)/Declaration(s)
    - ☐ Information Disclosure Statement (IDS)
    - ☐ Other \_\_\_\_\_
- Miscellaneous
  - ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
  - ☐ Other \_\_\_\_\_
- Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
  - ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-0510
    - ☒ RCE fee required under 37 CFR 1.17(e)
    - ☐ Extension of time fee (37 CFR 1.136 and 1.17)
    - ☒ Other Deficiencies
  - ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
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## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print / Type) Phillip E. MillerRegistration No. (Attorney / Agent) 46,060Signature *Phillip E. Miller*Date 01/04/04

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print / Type) \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that the foregoing Request of Continued Examination was filed by facsimile with the United States Patent and Trademark Office, Examiner Cheyne D. Ly, Group Art Unit #1631 at fax number (703) 872-9306 this 4th day of November, 2004.



Phillip E. Miller  
Reg. No. 46,060

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